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DEPARTMENT FOR PRM/ANE, PRM/ADM, EAP/MLS  
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SUBJECT: LAO HMONG: THAI ARMY EXPLAINS POLICY, SIGNALS  
POSSIBLE SHIFT ON NONG KHAI GROUP

REF: BANGKOK 685 AND PREVIOUS

¶1. (SBU) Summary. The Royal Thai Army revealed that it will seek Laotian Government agreement to a proposal to allow third country resettlement for the 153 Lao Hmong confined in an immigration jail in Nong Khai, Thailand. The proposal will be made by the Thai Prime Minister at a bilateral border meeting in Vientiane on March 30. The Thai position on the larger group of 7,900 in an army camp in Petchaboon province remains unchanged: the great majority will be returned, preferably voluntarily. An initial camp-level vetting by the RTG identified about eighty percent as economic migrants. The remainder - including many the RTG acknowledges face danger if returned to Laos - will be dealt with later. However, early informal signals indicate they might be permitted third country resettlement as well. End Summary.

Petchaboon: About 1,000 Resisting Lao Government...

¶2. (SBU) On March 25, DCM, Political Counselor and RefCoord met with the Royal Thai Army (RTA) Supreme Command to discuss policy towards some 7,900 Lao Hmong confined in an army-run camp in northern Petchaboon, and a smaller group of 153 detained in the immigration jail in Nong Khai. The meeting, chaired by Deputy Chief of Joint Staff General Ratchakrit Kanchanawat and attended by a dozen representatives from various army offices involved in the Lao Hmong issue, was arranged in response to the Ambassador's March 13 letter to RTA Supreme Commander General Boonsang Naimpradit, underscoring our concern about this group. Lt. General Nipat Thonglek, head of the Thai delegation to the bilateral Thai-Lao General Border Committee (GBC, the mechanism in which the Lao Hmong issue has been handled), estimated that "no more than a thousand" Lao Hmong in Petchaboon have connections to resistance to the Lao government - past or present. General Nipat did not respond directly when asked if this group would be allowed to stay in Thailand or referred for third country resettlement, stating only that "they will be considered later."

And the Rest Are Smuggling Victims

¶3. According to Nipat, the camp-level screening process, just completed several weeks ago, revealed that "about eighty percent had been deceived into paying alien smugglers" to bring them to Thailand in hope of resettlement to the U.S. The files for all 1,400 families in Petchaboon (only family heads were interviewed) will be forwarded to a second tier screening body, chaired by the Deputy National Security Advisor and including the RTA, MFA and Ministry of Interior,

in Bangkok. The Supreme Command was unable to say when the second tier review would begin, however, or whether all cases would be reviewed - or just the 1,000 or so individuals deemed to have a legitimate fear of return to Laos due to their connection to the insurgency.

#### "Voluntary" Repatriation to be the Model

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¶4. (SBU) General Nipat described the February 28 "voluntary" repatriation of 3 Lao Hmong families (consisting of 11 individuals) from Petchaboon as a "model" for future returns. RTA staffers insisted all 11 had been interviewed at the camp level prior to their departure. (Comment: the MFA told us separately that they had not gone through the screening as the group had "volunteered" to return early in the process. End Comment.) Nipat did not anticipate any more such voluntary returns in the near future, however. Nipat used an expletive to describe a report by Radio Free Asia alleging force and aggressive use of dogs during the repatriation. (Comment: we understand from usually reliable NGO and UNHCR sources that the report was in fact incorrect. End Comment.) When the DCM welcomed FM Noppadon's comment during his recent visit to Washington that all future returns from Petchaboon would be voluntary only, Gen. Nipat responded uncomfortably that "we want all people to return of their own free will", but complained that the anti-return groups in the Petchaboon camp "have better psych-ops that we do." Gen. Ratchakrit expressed some concern that excluding the option for non-voluntary returns would lead to another situation like the one at Wat Tham Krabok in Central Thailand, where thousands of Lao-Hmong spent over a decade (before most were resettled by us.) However, he also emphasized throughout that the military would only implement

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the policy of the government, not make policy itself.

¶5. (SBU) Nipat described his favorable impressions of Ban Pa Lak settlement in Laos, where several groups of previous returnees have been housed. The DCM raised the cases of the Hmong children and teens deported in 2005; some of the girls in the group, who subsequently made their way back to the their families in Petchaboon, reported that they had been imprisoned and abused in Laos after their deportation. The five boys in the group had disappeared. This case raised questioned about the way that some returnees might be treated by the GoL. Nipat acknowledged that the RTG "cannot guarantee" how Laos will treat future repatriated Lao Hmong, but said that the Thai side was trying to monitor the situation through visits such as his. Nipat revealed that the February 28 returnees phoned him after 20 days in Vientiane to complain they had not yet been brought to their home villages. (Comment: we understand that the group were actually kept in the border town of Ban Paksan after their return. End comment.) Nipat claimed he contacted his Lao army counterpart and the group were subsequently allowed to return home.

#### Policy Shift on the Nong Khai Group

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¶6. (SBU) During their initial briefing, the Thai side said that any Hmong who wanted to be resettled to third countries would have to first return to Laos, as stipulated by the Lao government. When pressed, however, Gen. Ratchakrit acknowledged that it was difficult to imagine a scenario in which the group with connections to the resistance would voluntarily return to Laos, even temporarily. We highlighted particular concerns about the approximately 153 UNHCR-recognized "persons of concern" who have spent over a year in immigration detention in Nong Khai. Gen. Nipat then agreed that the Thai side would press for third country resettlement for the entire group direct from Thailand; they will raise it at the March 30-31 bilateral meeting of the General Border Commission in Vientiane. According to Nipat,

the new Prime Minister, who will head the Thai delegation in his role as Defense Minister, is impatient with the impasse. The RTG proposal will involve the issuance of Lao travel documents to the group from the consulate general in nearby Khon Kaen before referring to third countries. Nipat believes that a final decision on the RTG proposal can be made during the Vientiane meeting. The Thai side also agreed that, if they cannot get the Lao to agree to allow the group to leave Thailand, then they will work with us to try to implement improvements in the living conditions for the group (a proposed USG-funded temporary shelter on the premises of the Nong Khai IDC has been bogged down by the Thai bureaucracy for several months.)

Local Army General: Lao Hmong are Different than the Burmese

17. (SBU) On March 20, RefCoord met with the local army command in direct charge of the Petchaboon camp to press the points in the Ambassador advocacy letter. Based in Pitsunalo, not far from Petchaboon, Third Army Commander Lt. General Sumreng Sivadumrong described the Lao Hmong as "illegal aliens who must be handled in accordance with Thai immigration law", but stated that the RTG did not want to forcibly deport them. According to Sumreng, the combination of Lao government-constructed villages and future Thai private investment in factories in Laos will persuade most to return voluntarily. Sumreng also described visited Lao-constructed return sites as "good", but that safe return was the responsibility of the Laotian government, not the RTG. Gen. Sumreng provided few details of the internal RTG screening process, but rejected the idea that the more open vetting mechanism for Burmese asylum seekers - the provincial admissions boards, set up with UNHCR assistance and participation - be instituted in Petchaboon: "It's a completely different issue - there's no fighting in Laos!" The Lao side has indicated it is able to receive about 200 Lao Hmong a month.

US Hmong Groups Involved in Drug Smuggling

18. However, a key aide to LTG Sumeng told RefCoord later that the 3rd Army Command recognized "unofficially about ten percent" of the 7,900 in the Petchaboon would be unable to return to Laos "because they helped you in Vietnam", and

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inquired about resettlement prospects in the US. The aide claimed that many in the Petchaboon group were interested in returning to Laos but were intimidated by anti-return "gangsters", who in turn were influenced by US-based Lao Hmong groups. According to the army colonel, who is in charge of intelligence in the Third Army Command, those US-based groups were involved in drug trafficking and encouraged resettlement in the US to assist their illicit business.

Comment

19. (SBU) The possible RTG shift in stance on the 153 Lao Hmong confined in the Nong Khai immigration jail is as unexpected as it is welcome. Previously, we were told the Nong Khai issue would be handled only after the entire Petchaboon group was repatriated, a process that could take more than a year. Although it is by no means a done deal - we believe the Thais will not allow third country resettlement for the group if the Laotian government objects - we should be ready to act quickly to process the 17 cases/76 people referred to the US resettlement program by UNHCR at the end of 2006. (The remainder have been referred to Australia, Canada, and the Netherlands.) We have also asked UNHCR to review the other cases to see if there are any with US-resident relatives who would benefit from the Kyl Amendment changes, and to refer those to the US as well. To

this end, final implementation instructions from USCIS on the  
new law are needed to provide to UNHCR.  
JOHN